

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JULIO TOLEDO, JOSH C. HAYGOOD, RAFAEL VEGA,
GREG MCCAIN, MARTIN SANTA, DAVID FRANCO, JUAN
R. ESTRADA, KEVIN BELL, HOWARD LOCKWOOD,
JASON E. LARRIER, TOMMIE O. HART, ANGEL PEREZ,
PEDRO R. MENDEZ, LEONARD MATOS, JR., and
HERMINIO RIVAS, JR.,

Plaintiffs,

V.

C.A. No. 04-30163-MAP

IBPO, LOCAL 364,

Defendant,

V.

SPRINGFIELD POLICE DEPARTMENT,

Defendant.

**PLAINTIFFS' PARTIALLY ASSENTED-TO MOTION FOR
TWO-WEEK EXTENSION TO RESPOND TO MOTION TO DISMISS**

The plaintiffs move for a further extension of two weeks (*i.e.*, until April 12, 2005) to respond to the motion to dismiss filed by the defendants. In support thereof, the plaintiffs state:

1. On February 22, 2005, the undersigned attorneys from Wilmer Cutler Pickering Hale and Dorr LLP and the Lawyers' Committee for Civil Rights Under Law of the Boston Bar Association entered their appearance on behalf of the plaintiffs. Since that time, counsel has been collecting and analyzing information necessary to respond to the legal and factual arguments presented by the defendants. However, for various reasons, and in particular the temporary unavailability of certain of the plaintiffs, counsel has been unable to complete the

investigation necessary for an appropriate response. In addition, counsel requires additional time to meet with their clients in order to discuss the facts and law pertinent to this matter.

Accordingly, counsel requires an additional two weeks to respond to the motion to dismiss filed by the defendants.

2. It is believed that the requested extension will cause no prejudice or harm to the defendants.

3. Counsel for the City of Springfield has assented to this motion.

4. On March 28 and 29, 2005, counsel for plaintiffs attempted to contact counsel for IBPO, Local 364 regarding this motion, but was unsuccessful in reaching him.

WHEREFORE, the plaintiffs respectfully request that the Court grant their motion for an extension of two weeks to respond to the motion to dismiss filed by the defendants.

JULIO TOLEDO, JOSH C. HAYGOOD, RAFAEL VEGA, GREG MCCAIN, MARTIN SANTA, DAVID FRANCO, JUAN R. ESTRADA, KEVIN BELL, HOWARD LOCKWOOD, JASON E. LARRIER, TOMMIE O. HART, ANGEL PEREZ, PEDRO R. MENDEZ, LEONARD MATOS, JR., and HERMINIO RIVAS, JR.,

By their attorneys,

/s/ Christopher R. Noyes
Mark D. Selwyn (BBO #565595)
Jennifer L. Carpenter (BBO #647214)
Christopher R. Noyes (BBO #654324)
christopher.noyes@wilmerhale.com
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000

Nadine Cohen (BBO #090040)
Lawyers' Committee For Civil Rights
Under Law of the Boston Bar Association
294 Washington Street, Suite 443
Boston, Massachusetts 02108
(617) 482-1145

Tammy Sharif (BBO #659134)
Law Firm of Tammy Sharif
The Walker Building
1242 Main Street, Suite 314
Springfield, Massachusetts 01103
413-439-0200

Dated: March 29, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served on the following attorneys of record for each party by first class mail and/or fax on March 29, 2005:

Kevin B. Coyle, Esq.
Coyle, Dunbar, Geoffrion & Ward
935 Main Street
Springfield, MA 01103

Edward M. Pikula, Esq.
Peter M. Murphy, Esq.
Law Department, City of Springfield
36 Court Street
Springfield, MA 01103

/s/ Christopher R. Noyes
Christopher R. Noyes